

DEC 09 2004 15:04 FR BAYER-PATENT DEPT.

4127778364 TO 917033053230

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Bayer CropScience



Date December 9, 2004

To Ms. Donna Greene

Company U.S. Patent Office

Fax 703-305-3230 Pages 9

From Richard E.L. Henderson

Fax 412-777-3902/3912 Tel. 412-777-3916


Re: CS8270/LeA 35,855/U.S. Serial No. 10/501,414  
PCT/EP03/00058

FAX

Bayer CropScience LP  
100 Bayer Road  
Pittsburgh, PA 15205-9741

**SUBMISSION OF MISSING PARTS**

Attached is a Combined Declaration and Power of Attorney, executed by all of the inventors. Also enclosed is a Certificate of Inheritance, which to the best of my knowledge, Angelika Lubos-Erdelen is the sole heir of Dr. Christoph Erdelen. The application was filed in the PCT Application Branch on July 12, 2004. Please charge the fee for filing the Declaration on a date later than the filing date, \$130.00, to Deposit Account Number 50-2510. This is also authorization to charge any insufficiency of fee which may be required to Deposit Account Number 50-2510.

  
Richard E.L. Henderson  
Attorney for Applicant(s)  
Reg. No. 31,619

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### Declaration

I, Doreen Steventon B.A., technical translator, declare that the attached document is, to the best of my knowledge and belief, a true translation into the English language of the deed of inheritance of Dr. Christoph Erdelen and his wife Frau Angelika Lubos-Erdelen.

Signed, this 27th day of November, 2003,

  
(Doreen Steventon)

Certified  
copy

Opened - 9 IV 300/03  
after the husband - wife  
Leverkusen, 30th Sept. 03  
Local Court  
(signature)  
Judicial Officer

No. 1132 of the document register for 1985

Negotiated in Burscheid on 26th July, 1985.

Today the following persons:

the married couple Dr. Christoph Erdelen, "Diplom-Agraringenieur" (≈ with a "B.Sc." in agricultural chemistry), who was born on 9.10.1952, and Frau Angelika Lubos-Erdelen, née Lubos, who is a graduate secondary-school teacher who was born on 11.6.1952 and is resident at 5210 Troisdorf 18, Raiffeisenstr. 36, appeared before the undersigning notary public:

Wolfgang Mettlach,

to whom they are known and whose office is located in Burscheid, in the Higher Regional Court District of Cologne.

The persons appearing declared as follows:

We wish to execute a

deed of inheritance

and are not prevented from doing so by any previous deeds of succession.

We are German nationals and dispense with the presence of witnesses.

- 2 -

The notary public satisfied himself during the meeting that the persons appearing were of sound testamentary and contractual capacity.

This deed of inheritance will be kept by the notary public in an unlocked place.

The persons appearing then declared verbally before the notary public their last will and testament, as follows:

1. We hereby appoint each other, i.e. the first partner to die, appoints the surviving partner as his sole, absolute heir, regardless of whether any, and which, persons entitled to compulsory portions exist upon the decease of the first partner.
2. The surviving partner will appoint as equal heirs any descendants possibly issuing from our marriage.

If no such descendants exist upon the decease of the surviving partner, the surviving partner will appoint as his/her heirs his blood relations and those of his/her deceased partner in each case in equal parts and on either side according to the legally stipulated rules of succession.

The above provisions will also apply accordingly if we both die simultaneously.

We have been informed of the spirit and the scope of the obligations of this deed of inheritance.

The surviving partner reserves the right to impose a different mode of succession after his/her decease by means of a unilateral disposition.

- 3 -

The present document was read out to the persons appearing, approved by them and then signed by them in their own hand, as follows:

(signature)

(signature)

(signature)

(Seal)

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P.08/09

(Stamp of the  
Local Court in  
Leverkusen)

The foregoing photocopy  
corresponds to \_\_\_\_\_  
— (rest illegible) —  
\_\_\_\_\_

Leverkusen, 1st Oct. 03

(signature)

Judicial Officer

(Stamp of the  
Local Court in  
Leverkusen)

I certify that the foregoing copy corresponds to the original.

Leverkusen, 12th November, 2003

(Seal)

(signature)  
Notary public)